

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth S. Knapton, III

Serial No.: 09/089,834

Filed: June 3, 1998

For: BINARY COMPATIBLE
SOFTWARE OBJECTS

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Group Art Unit: 2762

Examiner: C. Das

Atty. Docket No.: INTL-0033-US

Commissioner for Patents
Board of Patent Appeals & Interferences
Washington, D.C. 20231

BRIEF TRANSMITTAL

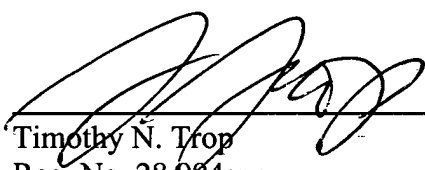
Sir:

Transmitted herewith in triplicate is the Reply Brief in this application with respect to the Notice of Appeal filed on December 7, 1999.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 20-1504. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: 6/7/00


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Date of Deposit: June 7, 2000

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Sherry Tipton

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#12

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Group Art Unit: 2762

Serial No.: 09/089,834

Examiner: C. Das

Filed: June 3, 1998

For: BINARY COMPATIBLE
SOFTWARE OBJECTS

Atty. Docket No.: INTE 08333

Commissioner for Patents
Board of Patent Appeals & Interferences
Washington, D.C. 20231

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REPLY BRIEF

Sir:

The Examiner's Answer doggedly maintains the Examiner's original position, without even the slightest reference to the points set forth in the Appellant's Brief. The Examiner can not rebut the points set forth in the Appellant's Brief and therefore continues to rely on the same misquotes and miscites that have lead us to this point.

Each of the Examiner's arguments are addressed one by one. Initially, the Examiner argues that Christensen teaches using different identifiers for each of the objects. This is completely untrue as categorically shown in the Appellant's original brief under Section A. For example, as set forth therein, it is explicitly shown that the GUIDs are the same on either system. That is, both on the client and the remote system the GUID is exactly the same. Unfortunately, the Examiner simply ignores this salient point.

Instead, the Examiner argues that Christensen teaches the creation of different formats of object with different identifiers. Of course, this is completely irrelevant. Lots of objects may be created with lots of GUIDs. That does not mean a different GUID is utilized on the client and

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the remote for the same object. As pointed out in the Appellant's Brief, it is clear that different GUIDs are not used. The Examiner also cites column 11, lines 32-34 of the reference. However, this teaching is directly contrary to the argument being made by the Examiner. It is stated that:

The GUIDs generated are stored in the data structure associated with the RA proxy and the client and in corresponding data structure associated with all RA remote stubs to facilitate look up by GUID while passing remote object references. Thus, the client and remote server computers all understand and can identify any remote object reference by looking up its GUID in their respective data structures.

How the Examiner can possibly believe this quote supports his position is mystifying. The language is explicit that the same GUID is utilized on the remote and the client. That is how the remote and the client coordinate everything--by using the same GUID for the same object, the remote knows what the object is by checking the same registry used by both the remote and the client. There is absolutely nothing in the cited language which in any way supports the Examiner's clearly erroneous position that different GUIDs are utilized.

Incredibly, after quoting the language which clearly demonstrates the Examiner's error, the Examiner concludes from the cited language that "objects are uniquely represented and identified passed from one computer to another by assigning every object a unique GUID when it is created, inherently including different identifiers for each of two objects" [Emphasis added]. The Examiner misses the whole point of Christensen. Different objects may have different GUIDs but the same object passed from the client to the remote has the same GUID. That is how both the client and their remote can use the object. That is exactly what the language quoted by the Examiner says. Nonetheless, the Examiner doggedly adheres to the clearly mistaken belief that different GUIDs are used for the same object on the remote and the client.

Contrary to the Examiner's argument that they inherently use different GUIDs, the remote and client must inherently use the same GUIDs for the same object or else the remote and the client would become confused. The remote and the client can not use the same registry to identify the GUIDs if the same objects passed from one to the other have different identifiers.

Finally, the Examiner argues that different identifiers must be utilized, citing column 7, lines 66-67. This is just back to the same old language that different objects have different GUIDs. In Christensen we are dealing with the same object which explicitly has the same GUID.

In summary, it is clear that the Examiner is confused by the fact that different objects do have different GUIDs. The fact that the same object passed from the client to the remote must have the same GUID in Christensen is clear. Therefore, Christensen clearly does not teach at least one element of claim 1 and the rejection under § 102 should plainly be reversed.

Since it is evident that Christensen does not teach using different GUIDs, he can not teach using different GUIDs without recompiling. Therefore, the remaining claims should all be in condition for allowance. Thus, the Examiner's discussion with respect to point B on pages 12 and 13 is totally and utterly irrelevant. The reason no recompiling is needed in Christensen is that Christensen never plugs in one object for another. Christensen is completely and utterly irrelevant to the claimed invention.

In view of these remarks, the Examiner's rejection should be reversed and the case should be passed to issuance.

Respectfully submitted,

Date: _____

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